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REQUEST FOR PROPOSALS

For Consulting Services Related to the NH Energy Facility Siting Process Issued July 22, 2013

I. Background:

On June 26, 2013, Senate Bill 99 (Chapter 134¹) was enacted, which requires the NH Office of Energy and Planning (OEP) to undertake two projects related to the NH Site Evaluation Committee (NHSEC):

1. Perform a study of the site evaluation committee's organization, structure, and process; and
2. Conduct a public stakeholder process to consider and begin drafting regulatory criteria for the siting of energy facilities.

The NHSEC has a website where information about the committee, its procedures, and past and current projects can be found: <http://www.nhsec.nh.gov/index.htm>. RSA 162-H governs energy facility siting in New Hampshire. See <http://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-XII-162-H.htm>.

II. Proposal Submissions

Proposals must be received by OEP in their entirety no later than 4:30 pm EST on August 6, 2013.

A proposed contract is expected to be submitted to the Governor and Executive Council for approval by late September. Proposals must be submitted to:

Meredith Hatfield
NH Office of Energy and Planning
Johnson Hall, 3rd Floor
107 Pleasant St, Concord, NH 03301
meredith.hatfield@nh.gov

Bidders shall submit four hard copies of the proposal (one should contain the wet signature of the applicant on the cover letter), plus one electronic copy provided by email, or on an external media device such as a CD or flash drive provided to the above address. A proposal will not be considered complete until both the hard copies and the electronic copy have been received by OEP.

¹ <http://www.gencourt.state.nh.us/legislation/2013/SB0099.pdf>

I. Scope of Services:

The New Hampshire Office of Energy and Planning (OEP) seeks qualified bidders to assist the agency in performing one or both of the two tasks, as described below, required by Senate Bill 99 of 2013 (SB99). Bidders may propose to perform one or both tasks; bidders proposing to perform both tasks should provide detailed individual budgets for each task to facilitate evaluation of all proposals.

A. Task 1: Study of the NHSEC

SB99 requires a study of the NHSEC that includes the following:

- Analysis of the site evaluation committee's organization, structure, and process to better ensure that the review of energy facility applications serves the public good and provides clarity to potential energy project developers;
- Identification of the deficits and needs, including but not limited to:
 - a. potential funding;
 - b. technology expertise;
 - c. committee membership;
 - d. staffing;
 - e. the roles of participating municipalities and the public;
 - f. the role of the counsel to the public;
- Whether RSA 162-H allows the site evaluation committee to require applicants to present alternatives, including but not limited to, the burial of energy facilities in publicly-owned transportation rights of way; and
- Other issues that may be identified during the study process.

In addition:

- The study shall also include review and consideration of relevant studies and plans, including but not limited to those developed by the Independent System Operator of New England (ISO-NE), the Public Utilities Commission, the Energy Efficiency and Sustainable Energy (EESE) Board, legislative study committees and commissions, and other state and regional organizations as appropriate.
- The study shall engage all interested members of the public in a process where meetings are duly noticed and minutes are maintained for all public meetings and posted on the OEP website within 7 days of the meeting.

The services and deliverables to be provided by a consultant under Task 1 include:

- Conducting and facilitating one or more public meetings to gather public input on the issues identified above, preparing information in advance of the meeting(s), taking minutes at meetings, and providing minutes to OEP for public posting.
- Delivery of a report to OEP that addresses the above requirements.

B. Task 2: Stakeholder process to develop proposed siting requirements

SB99 requires that the NHSEC adopt administrative rules relative to criteria for the siting of energy facilities, including specific criteria to be applied in determining if the requirements of RSA 162-H:16, IV(b) and (c) have been met by the applicant for a certificate of site and facility. The SEC's process for adopting rules is not part of this RFP. However, prior to the adoption, OEP must work with consultants to conduct a public stakeholder process to engage interested New Hampshire residents and other stakeholders to develop recommended regulatory criteria or draft rules, which will include the issues

identified in the legislation, as well as issues identified in a 2008 document related to wind siting that was developed by stakeholders,² and other issues that may be identified during the stakeholder process.

The services and deliverables to be provided by a consultant under Task 2 include:

- Reviewing the NHSEC's existing administrative rules and statute, as well as those of other states, in order to assist stakeholders with the development of new rules consistent with the requirements of SB99.
- Conducting and facilitating a robust and open stakeholder process in collaboration with OEP, including organization of public meetings, preparation of materials for public meetings, taking minutes at meetings, and submitting minutes to OEP for public posting.
- Delivery of a final report of the outcomes of the stakeholder process, including any proposed rules or regulatory criteria developed by stakeholders.

C. Bids for Both Tasks

Applicants bidding on both tasks required by SB99 should discuss any synergies, efficiencies, other benefits or challenges of one bidder undertaking both tasks.

II. Proposal Submission Requirements:

Proposals shall be prepared double-sided on 8 ½ x 11 paper with pages adequately numbered. The strongly preferred document parameters include a font size of at least 11 and 1" page margins. Complete proposal packages should not exceed 15 pages (per task). Proposals shall include the following:

1. **Cover Letter** (1 page)

A Cover Letter should accompany the proposal and include the bidder's name, mailing and physical address (if different), primary point of contact, telephone number, email addresses, and reference to company website, if relevant.

2. **Proposal:** (no more than 10 pages per task)

- a. Task One: Please describe in detail the methods and approaches proposed to accomplish the requirements of the NHSEC study and analysis as listed above, including public involvement.
- b. Task Two: Please describe in detail the methods and approaches proposed to accomplish the requirements of this task to conduct a robust stakeholder process to develop proposed regulatory criteria, as described above.

3. **Timeline** (2 pages per task)

In addition to the narrative information provided in the proposal, please provide a detailed timeline of activities. All activities for this project must be completed and final reports delivered to OEP by December 31, 2013. Bidders must include any scheduling issues or scheduling conflicts that may impact the project. *No funding will be provided for activities that take place prior to the date of contract approval by the Governor and Executive Council.*

4. **Detailed Budget** (1 page per task)

Applicants shall provide a detailed budget, broken down by activity, showing the cost of staffing (by person assigned and hourly bill rate), materials, travel, and other relevant costs. **Applicants bidding on both Task 1 and 2 must provide a detailed budget for each task, noting any areas of overlap.** A simple narrative shall also be included to describe budgeted activities.

² See attachment C of the 2008 final report of the state energy policy commission, available at the NHSEC website at http://www.nhsec.nh.gov/documents/siting_guidelines.pdf.

5. **Qualifications and Experience:** (no more than 2 pages per task)
Please provide information on the qualification, experience and skills of the applicant's team members who will be assigned to the project, and provide evidence of the team's ability to successfully complete the project. Please provide evidence of the staff's knowledge of energy facility siting issues and processes and/or stakeholder processes, depending upon whether the proposal is for Task 1, Task 2, or both Tasks. Bidders must disclose any potential conflicts of interest, or certify that it is not aware of any that exist. Bidders must also identify any scheduling issues for the period from mid-September until the end of December for key project team members. Please include the number of years in business; corporate officers or company principals, professional and business association memberships; and prior experience with energy policy analysis, renewable energy issues, and experience in the Northeast, specifically in New Hampshire. *Any change in staff assigned to the project must be approved in advance by OEP.*
6. **Résumés** (required, not included in page total)
Please include résumés for those people who will be conducting work under the project, including geographic location of office and residence. Résumés should not exceed three pages per person, or ten pages in total.
7. **Support Letters and Work Samples** (optional, not included in page total)
Applicants may choose to include support letters and or/work samples. **Work samples may be provided electronically only in order to reduce paper.**

III. Criteria for Selection

OEP and its selection team will evaluate responses to this RFP using the following scoring criteria.

1. **Soundness of proposed plan of approach**, clarity, completeness, quality, and potential for positive impact within the timeframe required.
2. **The capacity, knowledge, and experience of the applicant**, including that of the specific staff assigned to the project.
3. **Demonstrated ability to effectively communicate with OEP, its partners, stakeholders, and the public.**
4. **Reasonableness of cost** to provide services requested under the proposal, including any travel and other related costs.

IV. General Requirements and Conditions:

1. Any changes to this RFP will be made in writing and made available to the public on OEP's website. No verbal modifications will be binding.
2. All contracted activities resulting from this RFP are subject to funding availability.
3. OEP has allocated no more than \$150,000 for these services and expects to make one or two awards based on the responses it receives.
4. OEP reserves the right to negotiate terms, including award amounts with bidders, and may also request that multiple bidders work together on separate tasks in order to reduce duplication of effort.

5. OEP may investigate the qualifications of any applicant under consideration, require confirmation of information furnished by applicant, and require additional evidence of qualifications to perform the work described in this RFP.

OEP reserves the right to:

- Reject any and all proposals.
 - Cancel the entire RFP.
 - Increase or decrease the amount of funding available.
 - Remedy technical errors in the RFP process.
 - Appoint an evaluation committee to review proposals.
 - Negotiate with any, all, or none of the RFP respondents.
 - Reject and replace one or more proposed subcontractors.
6. As with all contracts made with the State of New Hampshire, certain requirements apply, including registration with the NH Secretary of State's Office. These requirements can be found at the State's Vendor Resources Center at <http://admin.state.nh.us/purchasing/vendorresources.asp>. Additionally, the successful applicant will be required, but will not be limited to provide the P37 form, the NH Secretary of State's Certificate of Good Standing, the Certificate/Vote of Authority from a governing body of the bidder, and proof of sufficient liability and workers' compensation insurance unless a waiver is requested and approved.
 7. Where two or more consultants desire to submit a single proposal in response to this RFP, they should do so on a prime recipient-subcontractor basis, rather than as a joint venture. While collaboration is encouraged, the performance and timely payment of all non-prime collaborators shall be the responsibility of a prime contractor. Information regarding individuals or entities that will work as support for the prime contractor should be identified, and their qualifications should be described in the proposal or included as attachments.
 8. This RFP does not commit OEP to make any awards, nor does it obligate OEP or any other entity to pay for any costs incurred in the preparation and submission of the proposals, negotiations or meetings subsequent to the proposal closing date, or in anticipation of an award. No award executed as a result of this RFP will be considered legally binding until duly authorized and approved by the Governor and Executive Council of the State of New Hampshire.
 9. Consultant(s) selected for the award, and their subcontractors, will be required to work closely with OEP, its partners, and stakeholders. Frequent meetings in New Hampshire will be required.

V. Tentative Schedule

OEP will make every effort to process proposals and prepare a final contract (or contracts) in accordance with the schedule below. However, the review process to prepare for consideration of contracts before the Governor and Executive Council can result in delays. Final approval of any contract(s) is at the discretion of the NH Governor and Executive Council and cannot be guaranteed.

July 22, 2013	Release of Request for Proposals
August 6, 2013	Deadline for receipt of Proposals, 4:30 pm
August 30, 2013	Proposed contract finalized with selected Consultant(s)
September 18, 2013	Consideration of contract by Governor and Executive Council
Upon G&C approval	Work Begins
December 31, 2013	Final Report Due on Siting Process (Task #1) Final Report Due on Stakeholder Rulemaking Process (Task #2)